

## Message Text

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ORIGIN OPIC-12

INFO OCT-01 AF-10 ISO-00 EB-11 AID-20 L-03 SSO-00 COME-00

INT-08 SCEM-02 TRSE-00 OMB-01 INRE-00 INR-10 CIAE-00

NSAE-00 COA-02 /080 R

66604

DRAFTED BY OPIC/GC:PRGILBERT

APPROVED BY EB/IFD/OIA:MCKENNEDY

OPIC/GC:CHUNT (DRAFT)

AF/E:HMELONE

EB/IFD/OIA:WHCOURTNEY

----- 087037

O 121407Z OCT 73

FM SECSTATE WASHDC

TO AMEMBASSY MOGADISCIO IMMEDIATE

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FOR HOEVELER

E.O. 11652: N/A

TAGS: EIND, SO

SUBJECT: FEARN/PRODMA

REFERENCE: MOGADISCIO 1498

1. OPIC AND FEARN ARE DISAPPOINTED WITH RULING ATTORNEY  
GENERAL REFTEL PARA 1. MOST LIKELY FEARN WILL FIND NEWEST  
DELAY UNACCEPTABLE AND PRESS FOR PROMPT CLAIM PAYMENT BY OPIC.  
WE BELIEVE HOEVELER PROPOSAL TO ALLAY CONCERNS GSDR REFTEL  
PARA. 2 IS SENSIBLE.

2. OPIC WOULD APPRECIATE IT IF INQUIRY CAN BE MADE WHETHER  
ATTORNEY GENERAL MIGHT RECONSIDER HIS DECISION. DOES ATTORNEY  
GENERAL RULING APPEAR TO BE BASED ON GENUINE LEGAL CONSIDERA-  
TIONS? CAN SHEIK AHMED PROVIDE LEGAL ARGUMENT FOR VALID  
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SALE WITHOUT NEED TO LIQUIDATE?

3. NOTWITHSTANDING DECISION REGARDING FISHING OPERATIONS, HOEVELER SHOULD ATTEMPT TO GET AGREEMENT FOR BUNKERING. WHAT IS CONTEMPLATED FORM OF BUNKERING SETTLEMENT ASSUMING LIQUIDATION PRODMA REQUIRED? WHO TRANSFERS WHAT TO WHOM?

4. IF OPIC PAYS FEARN CLAIM, OPIC WILL BE SUBROGATED TO FEARN'S RIGHTS RE PRODMA. ACCORDINGLY, PLEASE SEND TO OPIC FOR REVIEW DETAILED REASONS AND PROCEDURES FOR LIQUIDATION OF PRODMA. OPIC WILL NEED TO COMPLETE THIS REVIEW BEFORE AUTHORIZING SHEIK AHMED TO PROCEED WITH LIQUIDATION. OPIC WOULD APPRECIATE MORE DETAILED DATA REGARDING COSTS OF LIQUIDATION REFTEL PARA 4. WHO MIGHT CONTEST LIQUIDATION?

5. IF OPIC PAYS FEARN CLAIM, ASSUME HOEVELER BELIEVES OPIC SHOULD RETAIN SERVICES SHEIK AHMED ON SAME TERMS AS FEARN. OPIC WILL FORWARD NECESSARY DOCUMENTATION SHORTLY.

6. REFTEL PARA 7 OPIC WILL ADVISE REGARDING PAYMENT OF DOLS 1,000 DUE NOVEMBER 1. REFTEL PARA 6, OPIC TOLD THAT LIBAN PAID BY FEARN IN FULL FOR ALL SUMS OWED INCLUDING VACATION PAY WHEN LIBAN HERE IN AUGUST.

7. ASSUMING RESOLUTION BUNKERING MATTER, HOW MUCH LONGER DOES HOEVELER BELIEVE PRESENT STAY IN MOGADISCIO USEFUL? WHO IN EMBASSY WILL FOLLOW PRODMA ON HOEVELER DEPARTURE?

DECONTROL 10/11/74. KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** FISHING COMPANIES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 12 OCT 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** collinp0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1973STATE202463  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** PRGILBERT  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** n/a  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1973/newtext/t19731035/aaaaazqn.tel  
**Line Count:** 89  
**Locator:** TEXT ON-LINE  
**Office:** ORIGIN OPIC  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** MOGADISCIO 1498  
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**Review Authority:** collinp0  
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**Review Content Flags:**  
**Review Date:** 10 JAN 2002  
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**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** FEARN/PRODMA  
**TAGS:** EIND, EFIS, SO, OPIC, FEARN, PRODMA  
**To:** MOGADISCIO  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005